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16 Attorneys for Defendants

17 UNITED STATES DISTRICT COURT
18 DISTRICT OF NEVADA

19 SOPHAL BUY, DANIEL DIXON, AND
20 MICHELE SIMPSON,

21 Plaintiffs,

22 v.

23 HMSHOST CORPORATION AND HOST
24 INTERNATIONAL, INC.,

25 Case No.: 2:15-cv-00628-JAD-VCF

26 **STIPULATION RESOLVING
27 DEFENDANTS' MOTION TO DISMISS
28 [DOCKET NO. 9]**

29 **AND ORDER**

30 Defendants.

31
32 We, the parties, do hereby stipulate as follows.

33 1. Defendants hereby withdraw their Motion to Dismiss [Docket No. 9] relating to
34 the statute of limitations, without prejudice to the right to assert similar defenses as appropriate by
35 way of summary judgment, at trial, or otherwise. None of the parties are waiving any claim,
36 defense, or argument as a result of this withdrawal.

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1 2. Pursuant to Rule 12(a)(4), Defendants will answer allegations of the Amended
2 Complaint within 14 days including their response to those claims that were the prior subject to
3 the Motion to Dismiss.

4 3. This stipulation resolves and renders moot Defendants' Motion to Dismiss [Docket
5 No. 9] and no further proceedings on said will be necessary, including but not limited to the
6 currently scheduled motion hearing set for September 14, 2015.

7
8 Dated: August 31, 2015

Respectfully submitted,

11 */s/ Michael Reed*

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27 Attorney for Defendants

28 Based on the parties' stipulation and good cause appearing, IT IS HEREBY
29 ORDERED that defendants' motion to dismiss [ECF 9] is deemed WITHDRAWN
30 without prejudice. The 9/14/15 hearing on this motion [ECF 24] is VACATED.
31 Dated this 31st day of August, 2015.

Dorey
32 United States District Court Judge.